

Walter O'Cheskey  
 Chapter 13 Trustee  
 6308 Iola Avenue  
 (806) 748-1980 Phone  
 (806) 748-1956 Fax

IN THE UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF TEXAS  
 WICHITA FALLS DIVISION

IN RE:  
 DEA EVANS

CASE NO: 12-70173-HDH-13  
 HEARING DATE: 3/13/2013  
 HEARING TIME: 10:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
012 0 U	BANK OF AMERICA	\$19,709.00	014 0 U	CPU/CITI	\$460.00
015 0 U	DELL FINANCIAL SERVICES	\$1,916.00	016 0 U	EXXON MOBILE	\$930.00
020 0 U	TEXACO SHELL CITIBANK	\$117.00			

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
008 0	AMARILLO NATIONAL BANK	2010 CHEVY COBALT - TITLE SHOWS 2008	\$11,505.67	\$11,665.00	6.00%	52	\$308.27 PAID BY TRUSTEE
	Extended term from 51 to 52 months. See modification Below.						
009 0	CHILDRESS COUNTY APPRAISAL DISTRICT	2012 PROPERTY TAXES/806 SE, CHILDRESS TX	\$24.60	\$940.00			PD DIRECT BY DEBTOR
010 0	CHILDRESS COUNTY APPRAISAL DISTRICT	2012 PROPERTY TAXES/601 8TH ST SW, CHILDRESS, TX	\$1,452.73	\$25,535.00			PD DIRECT BY DEBTOR
011 0	FIRST BANK & TRUST CHILDRESS	SAVINGS ACCOUNT	\$0.00	\$7,305.50			PD DIRECT BY DEBTOR

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
013 0 U	OAK HARBOR CAPITAL VI LLC	\$5,558.63	017 0 U	GE CAPITAL RETAIL BANK	\$4,865.92
	PURCHASES			PURCHASES/GEMB SAMS CLUB	
018 0 U	PRA RECEIVABLES MANAGEMENT	\$3,282.25	019 0 U	PRA RECEIVABLES MANAGEMENT	\$8,357.96
	PURCHASES/WALMART			PURCHASES/LOWES	
021 0 U	QUANTUM3 GROUP	\$811.02			
	PURCHASES/FINA DISCOVER				

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof

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of Claim, the recommendation is deemed an objection to such claim. Unless a timely response or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### **IV.**

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Amarillo National Bank's secured claim shall be paid over 52 months.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 3/13/2013 AT 10:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 1/17/2013

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

AMARILLO NATIONAL BANK ATTN: SPECIAL ASSETS DEPT PO BOX ONE AMARILLO TX 79105  
BANK OF AMERICA 4060 OGLETOWN STANTON RD NEWARK DE 19713  
BRUCE EVANS 4814 EARL WICHITA FALLS TX 76302  
CHILDRESS CO APPRAISAL DISTRICT 1710 AVE F NW CHILDRESS TX 79201  
CHILDRESS COUNTY APPRAISAL DISTRICT C/O PERDUE BRANDON FIELDER COLLINS & MOTT PO BOX 9132 AMARILLO TX 79105  
CPU/CITI CENTRALIZED BANKRUPTCY PO BOX 20363 KANSAS CITY MO 64195  
DEA EVANS 601 8TH ST CHILDRESS TX 79201  
DEA EVANS 601 8TH ST SE CHILDRESS TX 79201  
DELL FINANCIAL SERVICES 701 E BARMER LANE BLG 2 AUSTIN TX 78753  
EXXON MOBILE PO BOX 103031 ROSWELL GA 30076  
FIA CARD SERVICES NA PO BOX 15102 WILMINGTON DE 19886  
FIRST BANK & TRUST CHILDRESS PO BOX 1090 CHILDRESS TX 79201  
GE CAPITAL RETAIL BANK C/O RECOVERY MGM SYS CORP 25 SE 2ND AVENUE SUITE 1120 MIAMI FL 33131  
GEMB - SAMS CLUB BANKRUPTCY DEPARTMENT PO BOX 103104 ROSWELL GA 30076  
GEMB PO BOX 103104 ROSWELL GA 30076  
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101  
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101  
LOWES/ MBGA/ GEMB ATTENTION BANKRUPTCY DEPT PO BOX 103104 ROSWELL GA 30076  
NAOMI SIMS 605 AVE D NW CHILDRESS TX 79201  
NATIONAL CAPITAL MANAGEMENT GE CAPITAL RETAIL BANK 8245 TOURNAMENT DRIVE SUITE 230 MEMPHIS TN 38125  
OAK HARBOR CAPITAL VI LLC C/O WEINSTEIN AND RILEY PS 2001 WESTERN AVENUE SUITE 400 SEATTLE WA 98121  
OAK HARBOR CAPITAL VI LLC C/O WEINSTEIN AND RILEY PS PO BOX 3978 SEATTLE WA 98124  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
QUANTUM3 GROUP WORLD FINANCIAL NETWORK BANK PO BOX 788 KIRKLAND WA 98083  
TEXACO SHELL CITIBANK PO BOX 20507 KANSAS CITY MO 64195  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WFNNB - FINA PO BOX 2961 SHAWNEE MISSION KS 66201